

# EXHIBIT J

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

ROBERT KOLINEK, individually and on  
behalf of all others similarly situated,  
  
Plaintiffs,  
  
v.  
  
WALGREENS CO., an Illinois corporation,  
  
Defendants.

) Case No. 13-cv-04806  
)  
)  
)

) **DECLARATION OF LACEY RACINES**  
) **RE: NOTICE PROCEDURES**  
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I, **Lacey Racines**, declare:

1. I am a Consultant at Kurtzman Carson Consultants LLC ("KCC"). I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. KCC was retained to, among other tasks, mail the Postcard Notice with attached Claim Form (the "Postcard Notice"); email the Notice of Class Action Settlement (the "Email Notice"); make the Long Form Notice and Claim Form available on the settlement website and the automated phone system; perform other duties as specified in the Stipulation of Settlement (the "Stipulation") preliminarily approved by this Court on April 3, 2015.

3. **Experience.** KCC is a class action administrator that specializes in providing comprehensive class action services including, but not limited to, pre-settlement consulting, class member data management, email and mailing campaign implementation, legal notification, call center support, website design, claims administration, check and voucher disbursements, tax reporting, settlement fund escrow and reporting, and other related services critical to the effective administration of class actions. KCC has developed efficient, secure and cost-effective methods to properly handle the voluminous data and mailings associated with the noticing,

claims processing and disbursement requirements of settlements to ensure the orderly and fair treatment of class members and all parties of interest.

4. KCC's business is national in scope. Since 2000, KCC (along with Rosenthal & Company, which was acquired by KCC in 2010) has been retained to administer more than 1,500 class actions. As part of these class actions, KCC has provided noticing solutions in cases with class members that range in numbers from 22 to over 22 million, and has distributed settlement payments totaling well over two billion dollars in the aggregate.

5. **CAFA Notification.** In compliance with the Class Action Fairness Act ("CAFA"), 28 U.S.C. Section 1715, KCC compiled a CD-ROM containing the following documents: Class Action Complaint and Jury Demand, Defendant Walgreen Co.'s Answer and Affirmative Defenses to Plaintiff's Complaint, Unopposed Motion for Leave to File Memorandum in Support of Motion for Preliminary Approval of Class Action Settlement with Excess Pages, *Instanter*, Claim Form, Estimate Percentage of Settlement Class Members by State, Notification of Docket Entry (re Unopposed Motion for Leave to File Excess Pages), Preliminary Approval Order, and a cover letter with Attachment A (collectively, the "CAFA Notice Packet"). A copy of the cover letter with attachment is attached hereto as Exhibit A.

6. On April 3, 2015, I caused fifty-nine (59) CAFA Notice Packets to be mailed via Certified Mail, Return Receipt Requested from the U.S. Post Office in Novato, California to the parties listed on Exhibit B, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and the District of Columbia, the 5 recognized U.S. Territories, and parties of interest to this Action.

7. As of the date of this Affidavit, KCC has received no response to the CAFA Notice Packet from any of the recipients identified in paragraph 4 above.

8. **Emailed and Mailed Notice.** The Defendant provided KCC with lists totaling 18,460,558 phone numbers. KCC caused the phone numbers to be researched to identify the type of line, i.e. landline or cellular/wireless line. Of these 18,460,558 phone number, 9,656,595 were identified as cellular/wireless phone numbers.

9. KCC returned these 9,656,595 cellular/wireless phone numbers to Defendant to obtain name and address information. The Defendant returned to KCC lists totaling 10,290,347 names and addresses relating to these 9,656,595 phone numbers. KCC identified and removed 82,764 duplicative records on the list, resulting in 10,207,583 records remaining on the Class List.

10. Of these 10,207,583 records, 9,367,721 did not have a valid email address. KCC caused a reverse email lookup using the names and addresses from these records to find an email address when available. These reverse email lookups resulted in 4,918,900 valid email addresses.

11. Of the 10,207,583 records on the Class List, 7,818 were missing a complete address, 339,127 contained a duplicative email address as another record on the Class List. Additionally 2,635 Settlement Class Members had more than one email address returned in the search, resulting in 9,863,273 records remaining on the Class List (Total Class Members less missing complete address records and duplicative email records, plus Settlement Class Members with more than one email address). Of these 9,860,638 records, 4,918,900 had an e-mail address and 4,944,373 had only postal mailing addresses.

12. Prior to mailing, KCC caused the addresses in the Class List to be updated using the National Change of Address database (“NCOA”) maintained by the U.S. Postal Service. A total of 907,277 addresses were found and updated.

13. Starting on May 13, 2015, KCC caused the Email Notice to be sent to each of the 4,918,900 email addresses on the Class List. As of May 18, 2015, KCC's email server registered 880,058 as undeliverable. A sample of the Email Notice is attached hereto as Exhibit C.

14. On June 2, 2015, KCC mailed the Postcard Notice to the 880,058 Settlement Class Members whose email was returned as undeliverable and the 4,944,373 Settlement Class Members with only a postal address. A sample of the Postcard Notice is attached hereto as Exhibit D.

15. As of July 28, 2015, KCC has received a total of 133,356 Notice Packages returned by the U.S. Postal Service with forwarding addresses. KCC caused the Class List to be updated with the new addresses and Notice Packages to be re-mailed to the updated addresses.

16. As of July 28, 2015, KCC has received a total of 676,199 Notice Packages returned by the U.S. Postal Service without forwarding address information.

17. Combining the email and physical mail effort, the notice plan reached approximately 90% of Settlement Class Members.

18. **Toll-Free Telephone Number**. On or before May 13, 2014, KCC established a toll-free telephone number dedicated to answering telephone inquiries from Settlement Class Members. As of July 28, 2015, KCC has received a total of 34,188 calls.

19. **Website**. On or before May 13, 2015, KCC also established a website ([www.PrescriptionCallSettlement.com](http://www.PrescriptionCallSettlement.com)) dedicated to this settlement to provide additional information to the Settlement Class Members and to answer frequently asked questions. Visitors of the website can download a Notice, Claim Form, and the following Court Documents, 1) Settlement Agreement; 2) Preliminary Approval Order; 3) Class Action Complaint; 4) Defendant Walgreens Co.'s Answer and Affirmative Defenses to Plaintiff's Complaint; 5) Plaintiff's

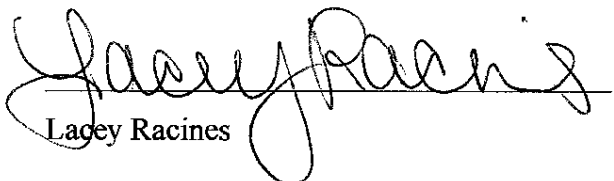
Memorandum in Support of Preliminary Approval of Class Action Settlement; 6) Motion in Support of Attorneys' Fees; and 5) Memorandum in Support of Attorneys' Fees. Visitors can also submit claims online. The web address was set forth in the Postcard Notice. As of July 28, 2015, the website has received 79,212 visits.

20. **Requests for Exclusion.** The deadline for Settlement Class Members to request to be excluded from the class was a postmarked deadline of July 17, 2015. As of the date of this declaration, KCC has processed 151 requests for exclusion. Of those 151 requests for exclusion, three were submitted with a postmark after the July 17, 2015 mailing. A list of the Settlement Class Members requesting to be excluded is attached hereto as Exhibit E.

21. KCC is continuing to process recently submitted mail and claim forms. Because some individuals circumvent the official request for exclusion process and simply write their exclusion request on the claim form that was mailed to them, additional requests for exclusion may be identified. The volume is anticipated to be minimal.

22. **Claim Forms.** The deadline for Settlement Class Members to file a claim was a postmarked deadline of July 22, 2015. KCC is continuing to process recently submitted claims and to date has validated 67.6% of those received. Based on the validation of claims to date, we estimate the approximate number of valid claims will be 173,318.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct to the best of my knowledge. Executed on this 29<sup>th</sup> day of July 2015 at Novato, California.

  
Lacey Racines